

Section 7(a)(1) of the ESA. BLM also avoids making any irreversible or irretrievable commitment of resources which would foreclose any reasonable and prudent alternative measures which might be required as a result of the consultation on the CDCA plan in accordance with Section 7(d) of the ESA. Closure of camping in the vicinity of the Algodones Dunes was included in the settlement stipulation concerning All Further Injunctive Relief.

The EA concerning this closure is available for a 15 day review period beginning approximately 1 week after publication of this notice. Interested parties should contact the Field Office Manager for a copy and the review schedule. The documents will also be available for review at the BLM web site [www.ca.blm.gov](http://www.ca.blm.gov). Written comments may be sent to the address listed below in this notice.

The BLM proposes a camping closure to reduce impacts to desert tortoise habitat and its associated plants and wildlife. This closure would impact several hundred campers and approximately 40 square miles of land. Vehicle traffic in this area is adversely impacting desert tortoise habitat to a noticeable extent. The use is increasing to outlying areas. Such use is not consistent with the area's limited use classification which limits OHV activity in this area. Currently, the area immediately east of Glamis and described above in this notice is noticeably impacted by OHV activity. The goal is to restore the desert habitat.

**FOR FURTHER INFORMATION OR TO SUBMIT COMMENTS CONTACT:** Roxie Trost, BLM, El Centro Field Office, 1661 S. 4th Street, El Centro, CA 92243, telephone (760) 337 4400.

Dated: August 3, 2001.

**Roxie C. Trost,**

*Acting Field Manager.*

[FR Doc. 01-20176 Filed 8-9-01; 8:45 am]

**BILLING CODE 4310-40-P**

## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

#### Agency Information Collection Activities: Submitted for Office of Management and Budget (OMB) Review; Comment Request

**AGENCY:** Minerals Management Service (MMS), Interior.

**ACTION:** Notice of an extension of a currently approved information collection (OMB Control Number 1010-0090).

**SUMMARY:** To comply with the Paperwork Reduction Act (PRA) of 1995, we are submitting to OMB for review and approval an information collection request (ICR), titled "Stripper Royalty Rate Reduction Notification." We are also soliciting comments from the public on this ICR.

**DATES:** Submit written comments on or before September 10, 2001.

**ADDRESSES:** Submit written comments directly to the Office of Information and Regulatory Affairs, OMB, Attention: Desk Officer for the Department of the Interior (OMB Control Number 1010-0090), 725 17th Street, NW., Washington, DC 20503. Also, submit copies of your written comments to Carol Shelby, Regulatory Specialist, Minerals Management Service, MS 320B2, P.O. Box 25165, Denver, Colorado 80225. If you use an overnight courier service, our courier address is Building 85, Room A-614, Denver Federal Center, Denver, Colorado 80225. You may also submit your comments at our email address [mrm.comments@mms.gov](mailto:mrm.comments@mms.gov). Include the title of the information collection and the OMB control number in the "Attention" line of your comment. Also include your name and return address. Submit electronic comments as an ASCII file avoiding the use of special characters and any form of encryption. If you do not receive a confirmation that we have received your email, contact Ms. Shelby at (303) 231-3151 or FAX (303) 231-3385.

**FOR FURTHER INFORMATION CONTACT:**

Carol Shelby, Regulatory Specialist, phone (303) 231-3151, FAX (303) 231-3385, email [Carol.Shelby@mms.gov](mailto:Carol.Shelby@mms.gov).

**SUPPLEMENTARY INFORMATION:**

*Title:* Stripper Royalty Rate Reduction Notification.

*OMB Control Number:* 1010-0090.

*Bureau Form Number:* Form MMS-4377.

*Abstract:* The Department of the Interior (DOI) is responsible for matters relevant to mineral resource development on Federal and Indian lands and the Outer Continental Shelf (OCS). The Secretary of the Interior (Secretary) is responsible for managing the production of minerals from Federal

and Indian lands and the OCS, collecting royalties from lessees who produce minerals, and distributing the funds collected in accordance with applicable laws. The Secretary also has an Indian trust responsibility to manage Indian lands and seek advice and information from Indian beneficiaries. MMS performs the royalty management functions for the Secretary.

The Bureau of Land Management (BLM), the surface management agency for Federal onshore leases, grants royalty rate reductions to operators of stripper oil properties producing less than 15 barrels of oil per well-day (43 CFR 3103.4-1). The purpose of these royalty rate reductions is to encourage continued production, provide an incentive for enhanced oil recovery projects, discourage abandonment of properties producing less than 15 barrels of oil per well-day, and reduce the operator's expenses.

Because the royalty rate reductions affect the amount of revenues due the Federal Government, operators are required to notify MMS of the reduced royalty rate using Form MMS-4377, Stripper Royalty Rate Reduction Notification. The form requires identification of the operator, name of the contact person, lease and agreement numbers, calculated royalty rate, current royalty rate, qualifying period, and effective date of royalty rate reduction. MMS uses the information provided on the form to update our lease database with the royalty rates that are lower than those reflected in the lease instrument. The reduced royalty rate becomes effective for all oil production from qualifying properties the first day of the month after MMS receives notification of the rate change.

MMS is requesting an extension of this information collection in order to continue to (1) Receive notification of royalty rate reductions and (2) update our lease database with the correct royalty rates. Correct royalty rates are necessary to verify that the proper royalty amount has been paid on each lease.

*Frequency:* On occasion.

*Estimated Number and Description of Respondents:* 900 operators of low producing, stripper oil properties.

*Estimated Annual Reporting and Recordkeeping "Hour" Burden:* 800 hours. See the following chart for a breakdown of the burden estimate.

Citation 43 CFR 3103.4-2	Reporting requirement	Burden hours per response	Annual number of responses	Annual burden hours
(b)(3)(iii)(B) .....	The lower of the two rates shall be used for the current period provided that the operator notifies the MMS of the new royalty rate. The new royalty rate shall not become effective until the first day of the month after MMS receives notification. Notification shall be received on Form MMS-4377.	30 minutes per property .....	1,600 properties .....	800
Total .....	.....	30 minutes .....	1,600 properties .....	800

*Estimated Annual Reporting and Recordkeeping "Non-hour" Burden:* We have identified no "non-hour cost" burden.

*Comments:* Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3501, *et seq.*) requires each agency " \* \* \* to provide notice \* \* \* and otherwise consult with members of the public and affected agencies concerning each proposed collection of information \* \* \*." Agencies must specifically solicit comments to: (a) Evaluate whether the proposed collection of information is necessary for the agency to perform its duties, including whether the information is useful; (b) evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) enhance the quality, usefulness, and clarity of the information to be collected; and (d) minimize the burden on the respondents, including the use of automated collection techniques or other forms of information technology.

To comply with the public consultation process, on April 6, 2001, we published a **Federal Register** notice (66 FR 18297) announcing that we would submit this ICR to OMB for approval. The notice provided the required 60-day comment period. We received one comment. We have responded to the comment in our ICR submission for OMB approval. We have posted a copy of the ICR at our Internet web site [http://www.mrm.mms.gov/Laws\\_R\\_D/FRNotices/FRInfColl.htm](http://www.mrm.mms.gov/Laws_R_D/FRNotices/FRInfColl.htm). We will also provide a copy of the ICR to you without charge upon request.

If you wish to comment in response to this notice, send your comments directly to the offices listed under the **ADDRESSES** section of this notice. OMB has up to 60 days to approve or disapprove the information collection but may respond after 30 days. Therefore, to ensure maximum consideration, OMB should receive public comments by September 10, 2001. The PRA provides that an agency

may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

*Public Comment Policy:* We will post all comments received in response to this notice on our Internet web site at [http://www.mrm.mms.gov/Laws\\_R\\_D/InfoColl/InfoColCom.htm](http://www.mrm.mms.gov/Laws_R_D/InfoColl/InfoColCom.htm) for public review. We also make copies of these comments, including names and addresses of respondents, available for public review during regular business hours at our offices in Lakewood, Colorado.

Individual respondents may request that we withhold their home address from the public record, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold from the public record a respondent's identity, as allowable by law. If you request that we withhold your name and/or address, state this prominently at the beginning of your comment. However, we will not consider anonymous comments. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

*MMS Information Collection Clearance Officer:* Jo Ann Lauterbach, (202) 208-7744.

Dated: July 31, 2001.

**Lucy Querques Denett,**

*Associate Director for Minerals Revenue Management.*

[FR Doc. 01-20100 Filed 8-9-01; 8:45 am]

**BILLING CODE 4310-MR-W**

**INTERNATIONAL TRADE COMMISSION**

[USITC SE-01-029]

**Sunshine Act Meeting**

**AGENCY HOLDING THE MEETING:** United States International Trade Commission.

**TIME AND DATE:** August 17, 2001 at 11 a.m.

**PLACE:** Room 101, 500 E Street SW., Washington, DC 20436, Telephone: (202) 205-2000.

**STATUS:** Open to the public.

**MATTERS TO BE CONSIDERED:**

1. Agenda for future meeting: none.
2. Minutes.
3. Ratification List.
4. Inv. Nos. 701-TA-404 and 731-TA-898 and 905 (Final)(Hot-Rolled Steel Products from Argentina and South Africa)—briefing and vote. (The Commission is currently scheduled to transmit its determination and Commissioners' opinions to the Secretary of Commerce on August 27, 2001.)

5. Outstanding action jackets: none.

In accordance with Commission policy, subject matter listed above, not disposed of at the scheduled meeting, may be carried over to the agenda of the following meeting.

Issued: August 8, 2001.

By order of the Commission.

**Donna R. Koehnke,**  
*Secretary.*

[FR Doc. 01-20222 Filed 8-8-01; 11:47 am]

**BILLING CODE 7020-02-P**



## 19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9.

**Note:** The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It uses plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3);
  - (i) Why the information is being collected;
  - (ii) Use of information;
  - (iii) Burden estimate;
  - (iv) Nature of response (voluntary, required for a benefit, or mandatory);
  - (v) Nature and extent of confidentiality; and
  - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of the instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of these provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

**MMS ICCO**

**OMB Control No.: 1010-0090**

Signature of Senior Official or designee

Date

**H. Theodore Heintz**

**Supporting Statement for  
Stripper Royalty Rate Reduction Notification  
(Form MMS-4377)  
(OMB Control Number 1010-0090)  
(Expiration date: August 31, 2001)**

**A. Justification**

**1. What circumstances make this collection of information necessary?**

The Bureau of Land Management (BLM), the surface management agency for Federal onshore leases, grants royalty rate reductions to operators of stripper oil properties producing less than 15 barrels of oil per well-day. See 43 CFR 3103.4-2 (Attachment 1). The purpose of these royalty rate reductions is to encourage continued production, provide an incentive for enhanced oil recovery projects, discourage abandonment of properties producing less than 15 barrels of oil per well-day, and reduce the operator's expenses. The stripper royalty rate is lower than the rate reflected in the lease instrument and reduces the amount of revenues paid the Federal Government. Because the Minerals Management Service (MMS) performs the royalty management functions for the Department of the Interior, we must have some process for timely notification of any royalty rate changes.

**2. How, by whom, and for what purpose will the information be used?**

Operators are required to notify MMS using Form MMS-4377, Stripper Royalty Rate Reduction Notification (Attachment 2), when they take a reduced royalty rate. The form requires identification of the operator, name of the contact person, lease and agreement numbers, calculated royalty rate, current royalty rate, qualifying period, and effective date of royalty rate reduction. MMS uses the information to update its lease database with the correct royalty rate. MMS must know the correct royalty rate in order to verify that the proper royalty amount has been paid on each lease.

Operators of stripper oil properties use a formula developed by BLM to determine the reduced royalty rate:

$$[\text{royalty rate (\%)} = 0.5 + (0.8 \times \text{average daily production rate})]$$

The reduced royalty rate becomes effective for all oil production from qualifying properties the first day of the month after MMS receives notification of the rate change.

Failure to inform MMS of the new royalty rate would result in erroneous exceptions generated in our computer system which is programmed to compare royalty rates paid to those reflected in the lease instrument. The operator could be held liable for royalty at the higher rate and be subject to interest charges as well.

**3. Does the collection involve the use of information technology, does it reduce the burden, and to what extent?**

MMS does not anticipate that operators will use electronic means to report new royalty rate reductions. However, should any operator wish to report electronically, MMS will encourage them to do so. Our Government Paperwork Elimination Act Implementation Plan indicates that this form is being evaluated for conversion to assess the risks and costs. We will, if at all feasible, offer an electronic alternative for submitting data by October 2003.

**4. Is the information duplicated by any other Federal agency, and can similar information be used or modified for this collection?**

Information on reduced royalty rates on stripper oil properties is not available from any other agency or source. Production records required for the calculation of reduced rates are unique to each property and are maintained by the operator.

**5. What is the agency doing to minimize the burden on small businesses or other small entities?**

Large oil companies generally sell low producing and less profitable wells to small companies; therefore, this collection of information usually involves small operations. The method of determining the reduced royalty rate has been simplified so that operators will be able to use production data from their records to make the calculation. MMS has a toll free telephone number to provide assistance to operators.

**6. Are there any technical or legal obstacles to reducing the burden, and what are the consequences to the Federal program if the information is not collected less frequently?**

Obtaining the correct royalty rate in a timely manner is critical for MMS to determine the proper amount of royalty to be paid on each lease. Operators must submit a Form MMS-

4377 when a new property qualifies as a stripper property or to notify MMS of a lower rate on an existing stripper property. Frequency is "on occasion" and not subject to change.

**7. Are there any special circumstances that require exceptions to 5 CFR 1320.5(d)(2) requiring respondents to: (i) report more often than quarterly, (ii) prepare written responses in fewer than 30 days after receipt, (iii) submit more than an original and two copies of any document, or (iv) retain records for more than 3 years?**

This collection of information will be conducted in a manner consistent with the guidelines at 5 CFR 1320.5 except that, in accordance with 30 U.S.C. 1724(f) (Attachment 3), oil and gas records must be maintained for 7 years or for a longer period, as necessary, if an audit has been initiated.

There are no special circumstances with respect to 5 CFR 1320.5(d)(2)(v) through (viii), as the collection is not a statistical survey and does not use statistical data classification; nor does it include a pledge of confidentiality not supported by statute or regulation or require proprietary, trade secret, or other confidential information not protected by agency procedures.

**8. What efforts were made to consult with the public and a representative sample of respondents?**

As required in 5 CFR 1320.8(d), MMS published a 60-day review and comment notice in the Federal Register on April 6, 2001 (66 FR 18297) (Attachment 4). We received one comment. The comment and MMS's response are summarized below.

**Comment:** The respondent was supportive of Form MMS-4377, commenting that "the collection of information is necessary for the agency to perform its duties and is useful in that it serves as notification that the operator will apply a reduced royalty rate to a specific lease."

**Response:** MMS agrees that the information on Form MMS-4377 is critical to our mission.

**9. Will payment or gifts be provided to respondents?**

No payments or gifts will be provided to respondents.

**10. What assurance of confidentiality is provided to respondents?**

Commercial or financial information submitted to the Department of the Interior relative to minerals removed from Federal leases may be proprietary. Trade secrets and proprietary information are protected in accordance with standards established by the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1733), the Freedom of Information Act (5 U.S.C. 552(b)(4)), and Department of the Interior regulations (43 CFR 2). Storage of such information and access to it is controlled by strict security measures.

**11. Does the information collected include any questions of a sensitive nature?**

None of the information requested is considered sensitive.

**12. What is the estimated reporting and recordkeeping "hour" burden?**

MMS estimates that there are approximately 900 respondents (lessees of low-producing Federal onshore leases) submitting 1,600 Forms MMS-4377 for 1,600 properties. We estimate that it takes 30 minutes to complete each form for a total annual burden of 800 hours. There are no recordkeeping requirements. Based on \$50 per hour, we estimate the hour burden cost to respondents is \$40,000 (\$50 X 800 hours). Refer to the chart following section B for a breakdown of the burden.

**13. What is the estimated reporting and recordkeeping "non-hour cost" burden?**

We have identified no reporting and recordkeeping non-hour cost burdens for this collection of information.

**14. What is the estimated annualized cost to the Federal Government?**

The total annualized cost to the Federal Government is approximately \$256,750 as reflected below:

Maintenance <u>1/</u>	\$ 42,500
Verification/Exceptions <u>2/</u>	\$214,250
	<u>\$256,750</u>

- 1/ 850 hours x \$50 per hour. Maintenance includes initial research on exceptions generated from the existing royalty rate exceptions processing routine (which compares reported royalty rate to the royalty rate in the lease database).
- 2/ 4,285 hours x \$50 per hour. Includes the verification of notification forms, updating the data base with the accepted royalty rate reductions, processing of exceptions discovered through data edits (production volume variances, days produced, and well status), and research of royalty rates reported to the lease data base on Form MMS-2014, Report of Sales and Royalty Remittance.

**15. Are there any program changes or adjustments reported in Items 13 and 14 for the Form OMB 83-I?**

The currently approved OMB Inventory includes 600 burden hours in Item 13 of Form OMB 83-I. The total annual burden for this information collection is 800 hours. This increase of 200 hours is a revision and correction of our previous burden hour estimate based on actual data from the 12-month period June 2000 to June 2001. As a result, we have increased the approximate number of operators of stripper oil properties from 800 to 900 and the number of responses (notifications of lower royalty rates) from 800 to 1,600. There is no cost burden requested in Item 14.

**16. Are there plans for tabulation and publication of the results of the information collection?**

The data collected will not be tabulated and published for statistical use.

**17. Is the agency seeking approval to not display the expiration date?**

No. We will display the expiration date of OMB's approval on Form MMS-4377.

**18. Is the agency requesting exceptions to the certification statement in Item 19 of Form OMB 83-I?**

To the extent the topics apply to this collection of information, we are not requesting exceptions to the "Certification for Paperwork Reduction Act Submissions".

**B. Collections of Information Employing Statistical Methods**

This section is not applicable. We will not employ statistical methods in this information collection.

**SECTION A.12 BURDEN BREAKDOWN**

<b>Citation 43 CFR 3103.4-2</b>	<b>Reporting Requirement</b>	<b>Burden Hours Per Response</b>	<b>Annual Number of Responses*</b>	<b>Annual Burden Hours</b>
(b)(3)(iii)(B)	The lower of the two rates shall be used for the current period provided that the operator notifies MMS of the new royalty rate. The new royalty rate shall not become effective until the first day of the month after MMS receives notification. Notification shall be received on Form MMS-4377 . ...	30 minutes	1,600 properties	800 hours
	Total	30 minutes	1,600 properties	800 hours